

SECTION 38 ADMINISTRATION

38.1 Employees and Officers. The Planning and Zoning Commission is hereby authorized to appoint and hire such employees and officers, including a Zoning Enforcement Agent as shall be deemed necessary to carry out the provisions of these regulations. The Zoning Enforcement Agent may be an employee of Gallatin County and if so, shall perform duties hereunder without remuneration in excess of the Agent's regular salary.

38.2 Duties of the Zoning Enforcement Agent. The Zoning Enforcement Agent shall issue all land use permits and review all applications submitted to the Zoning Commission for conditional use permits, variances, rezoning requests and amendments to these regulations.

The Zoning Enforcement Agent and staff shall work for the Planning and Zoning Commission and be in an advisory capacity, making recommendations on all requests. The Zoning Enforcement Agent and staff shall also investigate violations of these regulations.

If the Zoning Enforcement Agent finds that provisions of these regulations are being violated, the Agent shall notify in writing the person responsible for the violation, stating the nature of the violation and requesting that action be taken to correct it. The Zoning Enforcement Agent shall request discontinuance of illegal use of land, building, or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes, discontinuance of any illegal work being done; or shall take any other action authorized by these regulations to ensure compliance with or prevent violation of their provisions.

38.3 Appeals. Appeals from the decision of the Zoning Enforcement Agent concerning interpretation of these regulations may be taken in writing to the County Commission. An appeal must be filed within 10 working days of the date of the written decision of the Zoning Enforcement Agent with the County Commission.

A public hearing shall be held on any appeal only if the matter appealed was required by the terms of these regulations to be decided after holding a public hearing. At the hearing, the County Commission shall accept testimony from persons interested in the appeal, the appellant and the Zoning Enforcement Agent. Notice of the hearing shall be published once in a newspaper of general circulation within Gallatin County at least 15 days prior to the hearing date.

38.4 Schedule of Fees. All applications for permits, zone changes, conditional uses, or variances shall be accompanied by the applicable fees, which

shall be established by the Planning and Zoning Commission by Resolution after public notice and hearing. Fees are not refundable.

No permit, zone change, conditional use, or variance shall be issued unless or until the fees have been paid in full. No action shall be taken on proceedings before the Planning and Zoning Commission, unless, or until the fees have been paid in full.

SECTION 39 ADVISORY COMMITTEE

- 39.1 Advisory Committee Created. There is hereby created a GC/BS Advisory Committee consisting of five members, appointed by the Planning and Zoning Commission. Members shall be freeholders in the GC/BS Planning and Zoning District. The members of the Advisory Committee shall serve without compensation.
- 39.2 Term. Advisory Committee members shall be appointed for two-year staggered terms. Initially, two members shall be appointed for one-year terms and three members shall be appointed for two-year terms.
- 39.3 Role and Duties. All applications and petitions received by the Planning and Zoning Commission or the County Commission shall be forwarded to the Advisory Committee. The Advisory Committee shall consider, formulate and transmit a recommendation on all applications, petitions and all alleged zoning violations (except land use permits). The recommendation shall be advisory only and shall not be binding upon the Planning and Zoning Commission or the County Commission. *(Amended: County Commission Resolution 1997-81.)*
- 39.4 Open Meetings. All meetings of the Advisory Committee shall be open to the public in accordance with the Montana Open Meetings Law. Public notice of Advisory Committee meetings shall be given.
- 39.5 Oath of Office. Upon appointment, Advisory Committee members shall take a statutory oath, supporting and defending the Constitution and laws of the State of Montana, to support the zoning regulations, to disclose any personal economic interest in any matter coming before the Advisory Committee, to disqualify themselves from participation in any matter should there be a conflict of interest, to comply with the law; as they interpret and make recommendations on the Plan, Capital Improvements Policy and Zoning Regulation.

SECTION 40 AMENDMENTS AND CHANGES

- 40.1 Zoning Regulation Amendments. These regulations and the development pattern may be amended whenever the public necessity and convenience and general welfare requires such amendment and according to the procedure prescribed by law and these regulations.
- 40.2 Amendment Procedure. An amendment may be initiated by:
- a. The petition of one or more land owners of property effected by the proposed amendment. The petition shall be signed by petitioning land owners and shall be filed with the Zoning Enforcement Agent. The petition shall be accompanied by the appropriate fee, payable to Gallatin County; or
 - b. Resolution of intention of the Board of County Commissioners; or
 - c. Resolution of intention by the Planning and Zoning Commission.
- 40.3 Planning and Zoning Commission Hearing. All proposed amendments shall be considered by the Planning and Zoning Commission at a public hearing. Notice of the hearing shall be given in a newspaper of general circulation in Gallatin County and posted in a public place within the Zoning District not less than 15 days prior to the date of the hearing. After the public hearing the Planning and Zoning Commission may prepare and submit drafts of resolutions to the County Commission for the purpose of adopting any amendment. At its next regular public meeting following the receipt of the drafts of the resolutions, the County Commission shall consider the resolutions.
- 40.4 Joint Hearing. The Planning and Zoning Commission and County Commission may conduct a joint public hearing to consider amendments. The procedures of Section 40.3 shall apply to a joint public hearing.

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SECTION 41 CONDITIONAL USES

41.1 Intent. The intent of conditional use permits is to provide for uses, other than those specifically permitted in each district, which may be appropriate under certain safeguards or conditions.

41.2 Conditional Use Requirements. No structure or land in any district may be used for any purpose unless such use is listed as a permitted or conditional use in these regulations and approval for that use is obtained through the proper procedure.

Conditional use permits may be granted by the Planning and Zoning Commission when the Planning and Zoning Commission finds:

- a. The use conforms to the objectives of the GC/BS Plan and the intent of these regulations.
- b. The use will not adversely affect nearby properties or their occupants.
- c. The use meets density, coverage, yard, height, and all other regulations of the district in which it is to be located, unless otherwise provided for in these regulations.
- d. A public hearing, after notice has been given, has been held.

41.3 Conditional Use Procedure

- a. All applications for conditional use permits shall be filed with the Planning and Zoning Commission accompanied by the required fee.
- b. The Planning and Zoning Commission shall then cause to be made such investigation bearing on the application as will provide necessary information to assure that the action on each application is consistent with the intent and purpose of these regulations.
- c. Upon completion of the investigation the Planning and Zoning Commission shall hold a public hearing to gather needed facts from all interested parties. The Planning and Zoning Commission may continue the hearing, if need be, to take additional information. Thereafter, the Planning and Zoning Commission shall either approve or deny the application. A letter shall be sent to the applicant stating either conditions of approval or reasons for denial.

- d. Notice of public hearing for conditional use permits shall be published at least once 15 days prior to the hearing in a newspaper of general circulation within the County. Adjacent property owners shall be notified by certified mail.

- 41.4 Conditional Approval. The Planning and Zoning Commission may make the granting of a conditional use permit subject to reasonable limitations or conditions as it may deem necessary to enhance the appearance of the property, to reduce any adverse effects on nearby property or residences, to preserve the character of the area or to make it more acceptable in other ways. The conditions may include but not be limited to the following:
- a. Special setbacks, yards, open spaces and buffers.
 - b. Fences and walls.
 - c. Lighting.
 - d. Regulation of signs.
 - e. Regulation of vehicular ingress and egress.
 - f. Regulation of time of activities that have off-site impacts.
 - g. Landscaping and its maintenance thereof.
 - h. Time schedule of proposed development.
 - i. Regulation of odors, smoke, dust, airborne particles, vibration, glare, heat and noise.
 - j. Requiring dedication or improvements of rights-of-way.
 - k. Regulation of placement of uses on the property.
 - l. Regulation of height.
 - m. Regulation of the nature and extent of the use.
 - n. Regulation of the length of time such use may be permitted.
 - o. Requirements for restoration of property.
- 41.5 Security. The Planning and Zoning Commission may require guarantees in the form of bonds, cash deposits and/or other evidences of compliance in order to secure compliance with conditions imposed.
- 41.6 Expiration. All conditional use permits issued for definite term shall automatically expire at the end of the term.
- 41.7 Authorized Use. For purposes of these regulations, a conditional use permittee shall not be considered as engaging in the authorized use on the site until the following conditions are satisfied:
- a. Buildings proposed for construction in connection with the proposed use are in the process of actual construction on the site, or
 - b. If remodeling is proposed for existing buildings in connection with the proposed use, such remodeling has actually been commenced on the site, or
 - c. If no construction or remodeling is contemplated then the permittee is regularly engaged on the site in performing the services or in selling the goods, materials, or stocks in trade of the use, and has secured all necessary federal, state and local permits and licenses.

41.8 Revocation or Modification of Conditional Use Permits. A conditional use permits may be revoked or modified by the Planning and Zoning Commission under the following circumstances:

- a. If conditions have changed substantially from those at the time the permit was granted; or
- b. Revocation or modification is necessary to protect the health, safety, and welfare of the area in which the subject property is situated or the residents of the County, or to preserve the integrity of existing use patterns in the area in which the subject property is situated; or
- c. The person holding the permit has not materially changed his position by detrimentally relying on said conditional use permit; or
- d. If the person holding the permit has not complied with the conditions upon which it was issued.

Modification or revocation may occur only after following the same formal procedure for notice and hearing required for the granting of a conditional use permit in the first instance.

41.9 Issuance of Land Use Permits. No land use permit shall be issued other than in accordance with the conditions and terms of the conditional use permit. No land use permit shall be issued until time for appeal on a conditional use permit has elapsed, or if an appeal has been filed, the appeal has been decided.

41.10 Permits: Extensions.

- a. No later than 30 days prior to the expiration of the conditional use permit, the permittee may file written application with the Planning and Zoning Commission requesting an extension of time thereon and setting forth the reasons for the request. Each application shall be accompanied by the required fee.
- b. Within five days from receipt of an application for extension, the Zoning Enforcement Agent shall send a notice of the application by mail to persons, or their successors in interest of record in the County Clerk and Recorder's office, who were mailed notice of the original application. Attached to the application shall be a notice that any person objecting to the extension shall, within 15 calendar days from the date of mailing, notify the Planning and Zoning Commission of such objection.

- c. If any objection is received from those notified, the public hearing, as set forth in Section 41.3, shall be held.

- d. If no objection is received, the Planning and Zoning Commission may extend the permit for a period equivalent to the original period for which granted, or for one year, whichever is shorter.
- e. An extension may only be granted upon finding of fact by the Planning and Zoning Commission that no change of condition or circumstances has occurred that would have been grounds for denying the original application.
- f. The Planning and Zoning Commission shall consider requests for extension only at the end of the approval period. The decision of the Planning and Zoning Commission shall be final. If the extension request is denied, a subsequent application for an extension of the permit cannot be made.

SECTION 42 LAND USE PERMITS

42.1 Procedures for Obtaining Land Use Permits:

- a. No structure shall be built, moved or structurally altered until a land use permit has been issued under this Section.
- b. Land use permits shall be issued only for uses in conformance with these regulations and the conditions and terms of a conditional use permit if a conditional use permit is required. No land use permit shall be issued until the time for appeal on a conditional use permit or variance has elapsed and all appeals are finally decided.
- c. Permits issued on the basis of plans and specifications approved by the Zoning Enforcement Agent only authorize the use, arrangement and construction set forth in the approved plans and specifications. A use, arrangement or construction not in conformance with that authorized shall constitute a violation of these regulations.
- d. Land use permits shall be in writing and shall be in the form specified by the Planning and Zoning Commission.
- e. An application for a land use permit shall be filed with the Gallatin County Planning Office. Land use permits may be issued by the Zoning Enforcement Agent. All land use permit applications must be complete and fees paid before the Zoning Enforcement Agent is required to consider the permit. An application is complete when it contains all of the information necessary for the Zoning Enforcement Agent to decide whether or not the development, if completed as proposed, will comply with all of the requirements of these regulations and the GC/BS Plan.
- f. If an application for a land use permit is denied by the Zoning Enforcement Agent, the applicant may apply for a variance with the County Commission or file an appeal with the Planning and Zoning Commission in accordance with the procedures of Section 38.3.
- g. Where new sanitary facilities or the extension of the existing sanitary facilities are contemplated, a land use permit shall not be issued until the applicant has first obtained a sewer permit from the City/County Environmental Health Department or approval of sanitary facilities from the Montana Department of Environmental Quality or from the Big Sky County Water and Sewer District, whichever is appropriate.

42.2 Certificate of Occupancy:

A certificate of occupancy shall be issued by the Zoning Enforcement Agent to confirm that all exterior construction has taken place in accordance with the approved land use permit, including any conditions imposed upon the development . This inspection shall be made prior to any occupancy of new construction, but no later than two years after the date of issuance of the land use permit. Any part of the development found not to be in compliance with the approved land use permit shall constitute a violation of these regulations.

(Amended: County Commission Resolution No. 1997-81)

(Amended: County Commission Resolution No. 1999-75)

42.3 Expiration of Permits:

- a. A land use permit shall expire if the building or work authorized by the permit has not commenced within 12 months from the date of the issuance of the permit or if the building or work authorized by the permit is suspended or abandoned at any time after the work is commenced for a period of 180 days.
- b. After a land use permit has expired, no work can be recommenced until a new permit is obtained. The fee for a new permit shall be one-half of the amount required for the original permit, provided that no changes have been made or will be made in the original plans and specifications for the work and that abandonment has not exceeded one year.
- c. All exterior construction shall be completed within two years of the date of issuance of the land use permit. This includes the construction of the exteriors of all structures, the construction of all required parking, and the placement of all required landscaping and screening. This provision shall not apply to signs where a separate sign permit is required.

(Amended: County Commission Resolution No. 1999-75)

SECTION 43

NON-CONFORMING LOTS, USES AND STRUCTURES

- 43.1 Intent. Within the districts established by these regulations, there exist lots, structures, uses of land and structures, and characteristics of use which were lawful before these regulations were adopted or amended, but which would be prohibited, regulated or restricted under terms of these regulations or future amendments. It is the intent of these regulations that non-conformities shall not be enlarged upon, expanded or extended, nor used as grounds for adding other structures or uses prohibited elsewhere in the same district.

Non-conforming uses are declared by these regulations to be incompatible with permitted uses in the district involved. However, to avoid undue hardship, nothing in these regulations shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment to these regulations and which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

- 43.2 Non-Conforming Parcels of Record. In any district, structures permitted in said district may be erected on any non-conforming parcel which was of record on the effective date of these regulations. All other requirements and restrictions of the district apply to a parcel of record that does not meet parcel area or parcel width requirements.

A non-conforming parcel of land shall not be divided or changed in any way to reduce the area of the original parcel or increase its non-conformity.

- 43.3 Non-Conforming Uses of Land. Where at the time of the adoption of these regulations lawful use of land exists which would not be permitted by these regulations, the use may be continued so long as it remains otherwise lawful, provided:

- a. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of these regulations.

- b. No such non-conforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of these regulations.
- c. If any such non-conforming use of land, with the exception of seasonal uses, ceases for any reason for a period of more than 180 days, any subsequent use of such land shall conform to the regulations specified for the district in which the land is located. If a seasonal use ceases for the use of one season, then subsequent use of such land shall conform to these regulations.

43.4 Non-Conforming Structures. Where a lawful structure exists at the effective date of adoption or amendment of these regulations that could not be built under the terms of these regulations by reason of restriction on parcel area, parcel coverage, height, yards, its location on the parcel, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- a. No such non-conforming structure may be altered or enlarged in any way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity.
- b. Should such non-conforming structure or non-conforming portion of a structure be destroyed by catastrophic event, it may be reconstructed if it is rebuilt in substantially the same manner as it existed prior to destruction and does not require prior approval by the Planning and Zoning Commission. Any use or structure which is not substantially the same as the original use or structure must conform with the applicable provisions of these regulations.
- c. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the requirements of these regulations.

43.5 Non-Conforming Uses of Structures. If lawful use of a structure or of structures and premises exists at the effective date of adoption or amendment of these regulations that would not be allowed in the district under the terms of these regulations, the lawful use may be continued so long as it remains otherwise lawful, provided that:

- a. No existing structure devoted to a non-conforming use shall be enlarged, extended, constructed, or structurally altered, unless the use is changed to a permitted use.

- b. Any non-conforming use may be extended to any other part of a structure designed for such use, but no such use may be extended in any way to occupy land outside the building.
- c. Any structure, or structure and land, in or on which a non-conforming use is superseded by a permitted use shall thereafter conform to the regulations of the district in which it is located and the non-conforming use may not thereafter be resumed.
- d. If a non-conforming use of a structure ceases for a period of more than 180 days, except for seasonal uses, any subsequent use of such structure shall conform to the regulations of the district in which it is located.
- e. If a non-conforming use is destroyed by catastrophic event, it may be reconstructed if it is rebuilt in substantially the same manner as it existed prior to destruction. Reconstruction of a non-conforming use does not require prior approval of the Planning and Zoning Commission. Any use which is not substantially the same as the original use must conform with the applicable provision of these regulations.

43.6 Repairs and Maintenance. On any non-conforming structure or portion of the structure containing a non-conforming use, work may be done on ordinary repairs and fixtures, wiring, plumbing, or repair or replacement of non-load-bearing walls, to an extent not exceeding 10 percent of the replacement value of the building in any one year, provided that such work does not increase the cubic content of the building. Nothing in these regulations shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official or other person qualified to make such a declaration.

43.7 Conditional Uses. A conditional use provided for under Section 41 of these regulations shall not be deemed a non-conforming use in the district in which it is permitted.

43.8 Determination of Status of Non-Conforming Land Uses and Structures: It shall be the responsibility of the Zoning Enforcement Agent to determine the status of non-conforming land uses and structures. If the Zoning Enforcement Agent determines that a use or structure meets the applicable criteria of sections 43.1, 43.3, 43.4 and 43.5 above, the use or structure shall be deemed an Approved Non-Conforming Land Use or Approved Non-Conforming Structure. The following procedure shall be followed to determine the status of non-conforming land uses and structures.

- a. The owner of record of the subject use or structure shall make an application for a determination of the status of a land use or structure.
- b. It shall be the burden of the applicant to prove entitlement to approved non-conforming status by furnishing the Zoning Enforcement Agent with a preponderance of supporting information. Such information shall include, but not be limited to, septic or sewer hook-up permits, building permits, business licenses and dated photographs.
- c. The Zoning Enforcement Agent shall determine on a case-by-case basis whether a land use or structure is an existing non-conforming use or existing non-conforming structure.
- d. Appeals of the Zoning Enforcement Agent's decision may be made in accordance with the provisions of Section 38.3.
- e. The Zoning Enforcement Agent shall maintain a record of existing non-conforming uses and structures as such information becomes available.

SECTION 44 VARIANCES

44.1 Authorization to Grant or Deny Variances. The County Commission may authorize a variance from the requirements of these regulations as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of these regulations or decision of the Planning and Zoning Commission will result in unnecessary hardship. No variance shall be granted to allow the use or development of property for a purpose not authorized within the zone in which the proposed development would be located. In granting a variance, the County Commission may attach conditions it finds necessary to achieve compliance with the criteria of Section 44.2

44.2 Criteria For Granting a Variance. In considering whether a variance will not be contrary to the public interest and whether, owing to special conditions, literal enforcement of these regulations or a decision of the Planning and Zoning Commission will result in unnecessary hardship, the County Commission shall consider the following criteria:

- a. Exceptional or extraordinary circumstances apply to the property that do not apply generally to other properties in the same zone (as shown on the official zoning map) or vicinity and that result from lot size or shape, topography, or other circumstances over which the owners of property have had no control since enactment of this regulation.
- b. The variance is necessary for the preservation of a property right of the applicant that is substantially the same as that possessed by owners of other property in the same zone (as shown on the official zoning map).
- c. The variance would not be materially detrimental to property in the same zone or vicinity in which the property is located.
- d. The variance requested is the minimum variance that would alleviate the hardship.

44.3 Procedure. Written applications for a variance shall be filed with the Zoning Enforcement Agent. The fee shall accompany the application. An application shall not be regarded as having been filed until the fee is paid.

The County Commission shall cause to be made such investigation bearing on the application as will provide necessary information to assure that the action on the application is consistent with the intent and purpose of these regulations.

- 44.4 Hearing and Notice. There shall be a public hearing for each variance application. The County Commission shall accept testimony from persons interested in the application, from the applicant, and from the Zoning Enforcement Agent.

Notice of hearing shall be published once in a newspaper of general circulation within Gallatin County at least 15 days prior to the hearing date. In addition, the Planning Staff shall send a certified letter to record owners of property adjoining a proposed variance.

- 44.5 Approval. In approving an application for a variance, the County Commission may designate such lawful conditions as will secure substantial protection for the public health, safety, and general welfare and shall find the request to meet the criteria set forth in Section 44.2. Any approval under this section shall be subject to the terms of the designate conditions.

SECTION 45 COMPLAINTS AND ENFORCEMENT

45.1: Compliance

Any person may file a written complaint with the Gallatin County Planning Department whenever a violation of this regulation occurs or is alleged to have occurred. The complaint shall state fully the facts supporting the complaint.

Upon receipt of a complaint, or upon its own initiative, Gallatin County Planning Department and/or Compliance Department staff shall immediately investigate and take action as provided by the regulation. The investigator shall notify the person of the alleged violation and request access for an inspection. If access is denied, the investigator may seek an administrative warrant. With reasonable cause, the Planning and/or Compliance departments may revoke any land use permit, issue cease and desist orders requiring cessation of any building, moving, alteration or use which is in violation of the regulation and require corrective action, including dismantling or removal of non-complying structures, to remedy the violation.

45.2: Injunction

After the exhaustion of administrative remedies and pursuant to MCA § 76-2-113, the County Attorney, in conjunction with the Code Compliance Specialist, may bring an action in the name of the County of Gallatin in the District Court to enjoin any violations of this ordinance.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent or other person/entity who commits, participates in, assists or maintains such violation may each be held accountable for a separate violation.

The prevailing party may be awarded all costs, including attorney's fees.

45.3: Fines

The Planning and Zoning Commission may assess violator's fines of up to \$500 per day of violation for noncompliance until the violation is remedied. When determining the amount and duration of a fine, the Planning and Zoning Commission shall consider the nature, circumstances, extent and gravity of the violation, any prior history of such violations, the degree of culpability, and such other matters as justice may require. In addition, the violator may be required to pay administrative costs. If the fine is not paid, it shall become a lien upon the property. An alleged violator may appeal the assessment of a fine to the County Commission as set forth below.

45.4: Appeal Process (Violations)

An alleged violator may appeal a Gallatin County Planning or Compliance Department's decision regarding a violation in writing via certified mail to the Planning and Zoning Commission within ten (10) business days.

The Planning and Zoning Commission shall hold a hearing within 45 business days from the date that the appeal was received. The Planning and Zoning Commission shall, in writing, affirm, modify or withdraw the Department's decision within 20 business days after the hearing. Once an appeal for a hearing has been made, the Department's decision shall be stayed until the Planning and Zoning Commission has held the hearing and affirmed, modified or withdrawn the determination of the Department. Any final decision made by the Planning and Zoning Commission will be binding upon the Department.

Any person may appeal a final decision of the Planning and Zoning Commission within 30 days to the Eighteenth Judicial District Court.

45.5: Appeal Process (Fines)

An alleged violator may appeal a Planning and Zoning Commission's assessment of a fine for noncompliance to the County Commission with 10 business days in writing via certified mail. The County Commission shall hear the appeal at a regularly scheduled meeting within 45 business days from the date the appeal was received, and shall, in writing, affirm, modify or withdraw the Planning and Zoning Commission's decision within 20 business days after the hearing. Once an appeal for a hearing has been made, the Planning and Zoning Commission's decision shall be stayed until the County Commission has held the hearing and affirmed, modified or withdrawn the determination of the Planning and Zoning Commission.

Any person may appeal a final decision of the Board of County Commissioners within 30 days to the Eighteenth Judicial District Court.

(Amended: County Commission Resolution No. 2004-67)

(Amended: County Commission Resolution No. 2004-144)

SECTION 46 ADOPTION

These regulations were recommended for adoption by Resolution No. 1996-03 of the Gallatin Canyon/Big Sky Planning and Zoning Commission on June 20, 1996.

_____/s/_____
STAN HUGHES, CHAIRMAN
COUNTY TREASURER/ASSESSOR

_____/s/_____
JANE JELINSKI, MEMBER
COUNTY COMMISSIONER

_____/s/_____
KRIS DUNN, MEMBER
COUNTY COMMISSIONER

_____/s/_____
PHIL OLSON, MEMBER
COUNTY COMMISSIONER

_____/s/_____
SHELLEY CHENEY, MEMBER
COUNTY CLERK & RECORDER/SURVEYOR

THIS REGULATION WAS AMENDED BY RESOLUTION NO. 1996-07 AND RESOLUTION NO. 1996-08 OF THE GALLATIN COUNTY ZONING COMMISSION ON OCTOBER 17, 1996.

THE REGULATION WAS AMENDED BY RESOLUTION NO. 1997-06 OF THE GALLATIN COUNTY ZONING COMMISSION ON NOVEMBER 13, 1997; AND AMENDED ON SEPTEMBER 11, 1997 BY RESOLUTION NO. 1997-07; AND AMENDED ON MARCH 12, 1998 BY RESOLUTION NO. 1998-04; AND AMENDED ON NOVEMBER 18, 1999 BY RESOLUTION NO. 1999-12; AND AMENDED ON JANUARY 13, 2000 BY RESOLUTION NO. 2000-04; AND AMENDED ON APRIL 11, 2002 BY RESOLUTION NO. 2002-04; AND AMENDED ON APRIL 8, 2004 BY RESOLUTION NO. 2004-05; AND AMENDED ON MAY 13, 2004 BY RESOLUTION NO. 2004-07; AND

AMENDED ON MAY 13, 2004 BY RESOLUTION NO. 2004-08; AND
AMENDED ON OCTOBER 14, 2004 BY RESOLUTION NO. 2004-21.
AMENDED ON OCTOBER 28, 2004 BY RESOLUTION NO. 2004-22
AMENDED ON DECEMBER 14, 2006.

These regulations were adopted by the Gallatin County Commission by
Resolution No. 1996-38 on July 30, 1996.

/s/

JANE JELINSKI, CHAIRMAN

/s/

KRIS DUNN, MEMBER

/s/

PHIL OLSON, MEMBER

THIS REGULATION WAS AMENDED BY RESOLUTION NO. 1996-61 AND RESOLUTION NO.
1996-62 OF THE GALLATIN COUNTY COMMISSION ON OCTOBER 22, 1996.

THE REGULATION WAS AMENDED BY RESOLUTION NO. 1997-81 OF THE GALLATIN
COUNTY COMMISSION ON NOVEMBER 25, 1997; AND
AMENDED BY RESOLUTION 1998-02 ON JANUARY 13, 1998; AND
AMENDED BY RESOLUTION 1998-25 ON MARCH 24, 1998; AND
AMENDED BY RESOLUTION NO. 1999-75 ON NOVEMBER 30, 1999; AND
AMENDED BY RESOLUTION NO. 2000-18 ON APRIL 11, 2000; AND
AMENDED BY RESOLUTION NO. 2002-49 ON APRIL 23, 2002; AND
AMENDED BY RESOLUTION NO. 2004-67 ON MAY 4, 2004; AND
AMENDED BY RESOLUTION NO. 2004-77 ON MAY 25, 2004; AND
AMENDED BY RESOLUTION NO. 2004-78 ON MAY 25, 2004; AND
AMENDED BY RESOLUTION NO. 2004-144 ON OCTOBER 20, 2004.
AMENDED BY RESOLUTION NO. 2004-145 ON NOVEMBER 9, 2004
AMENDED BY RESOLUTION NO. 2006-14 ON FEBRUARY 28, 2006
AMENDED BY RESOLUTION NO. 2007-001 ON JANUARY 2, 2007.

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